

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76104 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- MAHILA PS District- Buxar

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AFZAL ALI , aged about 19 years, (Male), Son of Md. Rojadin @ Md. Roja
Resident of Village- Bharauli (Ujiyar, Kumkumpatti, Koreadih), P.S.- Narahi,
District- Ballia (U.P.)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr.Ajay Kumar Jha (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 26-11-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 354 of the Indian
Penal Code and Section 8/12 of POCSO Act.

Informant is the mother of victim, who in her
written complaint has stated that on 04.10.2019 at about 12:00
P.M. her daughter Nandani Kumari aged about 10 years had
gone to purchase some household articles from a shop and she
was returning petitioner started teasing her and caught her hand
thereafter she started screaming and weeping upon which
nearby persons assembled and thereafter he was handed over to



the police.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. The statement of the victim girl was recorded under Section 164 Cr.P.C. in which she stated that she fell on the road and petitioner tried to lift her by holding her hand and due to confusion and misunderstanding he was caught by the nearby persons. Petitioner has no criminal antecedent and is in custody since 05.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-1st-cum-Special Judge, Buxar, in connection with Buxar (Mahila) P.S. Case No. 55 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will
be at liberty to move for cancellation of bail of the
petitioner.

(S. Kumar, J)

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